

Disciplinary action against police officers and firefighters

SB 1013 by Gallegos (Oakley)

DIGEST:	SB 1013 would have prohibited disciplinary action against a police officer, firefighter or state law enforcement officer unless the complaint was investigated and sufficient evidence was found to prove allegations of misconduct. A peace officer against whom a complaint was filed could not have been suspended, discharged or subjected to any other form of employment discrimination because the officer refused to take a polygraph examination.
GOVERNOR'S REASON FOR VETO:	"Senate Bill 1013 would limit the internal investigations of public servants by prohibiting the use of polygraph examinations and by requiring 'sufficient evidence' to prove allegations of misconduct. The 'sufficient evidence' standard required by Senate Bill 1013 is legally vague and will encourage litigation against governmental bodies attempting to discipline their employees."
RESPONSE:	Sen. Mario Gallegos, the author of SB 1013, was unavailable for comment. Rep. Keith Oakley, the House sponsor, had no comment.
NOTES:	SB 1013 was analyzed in Part Four of the May 17 <i>Daily Floor Report</i> .